

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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HAROLD E. DUFFUS,

Petitioner,

v.

ATTORNEY GENERAL OF STATE  
OF NEW JERSEY,

Respondent.

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Case No. 3:20-cv-14747 (BRM)

**MEMORANDUM ORDER**

**IT APPEARING THAT:**

1. On October 21, 2020, *pro se* Petitioner, Harold E. Duffus, a state prisoner confined at the South Woods State Prison in Bridgeton, New Jersey, filed a habeas petition pursuant to 28 U.S.C. § 2254. (*See* ECF 1.)

2. On October 26, 2020, this Court administratively terminated this action as Petitioner failed to include the \$5.00 filing fee, or, alternatively, Petitioner did not include a complete application to proceed *in forma pauperis* as his application failed to include the required affidavit of indigency. Petitioner also did not file his initial § 2254 habeas petition on the proper form. (ECF No. 2.)

3. On November 23, 2020, Petitioner filed another *in forma pauperis* application as well as another habeas petition. (*See* ECF 3 & 4.) On December 3, 2020, this Court denied Petitioner's application to proceed *in forma pauperis* as Petitioner's prison account exceeded \$200.00 and Petitioner's habeas petition was still on the incorrect form. (*See* ECF 5.) This Court administratively terminated the action. (*See id.*)

4. On or about January 15, 2021, Petitioner submitted the required \$5.00 filing fee and request for additional time to file his §2254 habeas petition on the proper form. (*See* ECF 7.) On January 25, 2021, the Court granted Petitioner thirty (30) days in which to submit a new § 2254 habeas petition on the proper form supplied by the Clerk. (ECF No. 8.)

5. On March 1, 2021, Petitioner requested an extension of time to submit a new § 2254 habeas petition. (ECF No. 9.) On March 4, 2021, the Court provided Petitioner an additional thirty (30) days to file his § 2254 habeas petition. (ECF No. 10.)

6. Petitioner has failed to file a § 2254 habeas petition on the proper forms.

Accordingly,

**IT IS** on this 21st day of June 2021,

**ORDERED** Petitioner has a final thirty (30) days from the date of this order to file a signed copy of his § 2254 habeas petition on the proper form; it is further

**ORDERED** if Petitioner fails to submit his § 2254 habeas petition on the proper form this matter will be dismissed without prejudice; it is further

**ORDERED** the Clerk shall serve upon Petitioner by regular U.S. mail: (1) a copy of this memorandum and order; (2) a blank § 2254 habeas petition form—AO 241(modified): DNJ-Habeas-008 (Rev.01-2014).

**ORDERED** the Clerk shall **ADMINISTRATIVELY TERMINATE** this matter.

/s/Brian R. Martinotti  
**HON. BRIAN R. MARTINOTTI**  
**UNITED STATES DISTRICT JUDGE**